

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JO-ANNA M. CONTRERAS,

Plaintiff,

vs.

LIBERTY MUTUAL FIRE INSURANCE
COMPANY,

Defendant.

4:18CV3079

ORDER

IT IS ORDERED that the final progression order ([Filing No. 10](#)) is AMENDED as follows:

- 1) The jury trial of this case is set to commence before Laurie Smith Camp, Senior United States District Judge, in Courtroom 2, Roman L. Hruska Federal Courthouse, 111 South 18th Plaza, Omaha, Nebraska, a 9:00 a.m. on **September 17, 2019**, or as soon thereafter as the case may be called, for a duration of four (4) trial days. This case is subject to the prior trial of criminal cases and other civil cases that may be scheduled for trial before this one. Jury selection will be held at the commencement of trial.
- 2) The Pretrial Conference is scheduled to be held before the undersigned magistrate judge on **September 3, 2019** at **1:00 p.m.**, and will be conducted by internet/telephonic conferencing. Counsel shall use the conferencing instructions assigned to this case to participate in the conference. The parties' proposed Pretrial Conference Order and Exhibit List(s) must be emailed to zwart@ned.uscourts.gov, in Word format, by 5:00 p.m. on August 30, 2019.
- 3) The deadline for completing written discovery under Rules 33, 34, and 36 of the Federal Rules of Civil Procedure is March 13, 2019. Motions to compel discovery under Rules 33, 34, and 36 must be filed by March 27, 2019
Note: A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference for discussing the parties' dispute.
- 4) The deadlines for identifying expert witnesses expected to testify at the trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiff(s): February 6, 2019.

For the defendant(s): April 8, 2019.

- 5) The deadlines for complete expert disclosures¹ for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiff(s): March 11, 2019.

For the defendant(s): May 8, 2019.

- 6) The deposition deadline is June 10, 2019.
- 7) The deadline for filing motions to dismiss and motions for summary judgment is May 10, 2019.
- 8) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is June 10, 2019.
- 9) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report and the Final Progression Order ([Filing No. 10](#)) that are not inconsistent with this order.
- 10) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge, including all requests for changes of trial dates. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 6th day of February, 2019.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge

¹ While treating medical and mental health care providers are generally not considered “specially retained experts,” not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated within that expert’s treatment records and reports must be separately and timely disclosed.